

**FILED**

MAR 17 2020

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY                       
DEPUTY CLERK

ANTOINE DESHAWN BARNES #58754  
 Name and Prisoner/Booking Number  
A6-92 HANFORD COUNTY JAIL  
 Place of Confinement  
1570 KINGS COUNTY DR  
 Mailing Address  
HANFORD, CA 93230  
 City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ANTOINE DESHAWN BARNES )  
 (Full Name of Plaintiff) Plaintiff, )  
 v. )  
 (1) SANTA CLARA COUNTY DISTRICT ATTORNEYS OFFICE )  
 (Full Name of Defendant) )  
 (2) SUPERIOR COURT OF SAN JOSE 190 )  
W. HEDDING COURT )  
 (3) )  
 (4) )  
 Defendant(s). )  
☐ Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. 2:20 CV 579 EFB PC  
 (To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT  
BY A PRISONER**

☒ Original Complaint  
☐ First Amended Complaint  
☐ Second Amended Complaint

**A. JURISDICTION**

1. This Court has jurisdiction over this action pursuant to:

- ☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983  
☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).  
☐ Other: \_\_\_\_\_

2. Institution/city where violation occurred: 190 W. HEDDING SUPERIOR COURT, SAN JOSE, CA 95112

**B. DEFENDANTS**

1. Name of first Defendant: DISTRICT ATTORNEYS OFFICE SAN JOSE. The first Defendant is employed as: DISTRICT ATTORNEYS OFFICE at SANTA CLARA COUNTY DISTRICT ATTORNEYS OFFICE  
(Position and Title) (Institution)
2. Name of second Defendant: SAN JOSE SUPERIOR COURTS. The second Defendant is employed as: SAN JOSE SUPERIOR COURT JUDGE at 190 W. HEDDING ST SUPERIOR C, SAN JOSE, CA 95112  
(Position and Title) (Institution)
3. Name of third Defendant: \_\_\_\_\_. The third Defendant is employed as: \_\_\_\_\_  
(Position and Title) (Institution)
4. Name of fourth Defendant: \_\_\_\_\_. The fourth Defendant is employed as: \_\_\_\_\_  
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

**C. PREVIOUS LAWSUITS**

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 4. Describe the previous lawsuits:
  - a. First prior lawsuit:
    1. Parties: ANTOINE BARNES v. KINGS COUNTY DISTRICT ATTORNEYS OFFICE
    2. Court and case number: 18CM5115
    3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) STILL PENDING IN U.S. DISTRICT COURT SDI "I" ST, SACRAMENTO, CA 95814
  - b. Second prior lawsuit:
    1. Parties: ANTOINE BARNES v. SHERIFFS J. BLACKBURN et al.,
    2. Court and case number: 1:20-CV-00333 BAM
    3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) PENDING IN 2500 TULARE ST, ROOM 1501, U.S. DISTRICT COURT, FRESNO, CA 93721-2201
  - c. Third prior lawsuit:
    1. Parties: ANTOINE BARNES v. HANFORD POLICE DEPARTMENT OFFICER WYAND
    2. Court and case number: STILL PENDING ILLEGAL "STOP AND FRISK" RACIAL PROFILE
    3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) PENDING IN 2500 TULARE ST, ROOM 1501, U.S. DISTRICT COURT, FRESNO, CA 93721-2201

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

**D. CAUSE OF ACTION****CLAIM I**

1. State the constitutional or other federal civil right that was violated: USCS CONST. AMEND 8, PART 1 OF 4 AMENDMENT 8 BAIL - PUNISHMENT - EXCESSIVE BAIL

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court                     | <input type="checkbox"/> Medical care           |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion                    | <input checked="" type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>EXCESSIVE BAIL</u> |   |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

IN SANTA CLARA COUNTY WARRANT AN CASE # C1916008, THIS CASE IS BEING A POLITICAL, ABUSIVE OF POWER, HATE CRIME, CO-CONSPIRED PLOT THRU CLCA'S SANTA CLARA'S COUNTY DISTRICT ATTORNEYS UNION TO INTRAP PETITIONER WITH EXCESSIVE BAIL IN AMOUNT OF \$100,000 FOR FAILURE TO APPEAR IN COURT 1/21/20 AT 190 W. HEDDING SUPERIOR COURT, PETITIONER IS OUT ON BAIL STEMMING FROM A \$100,000 BAIL THAT MONTEREY COUNTY DISTRICT ATTORNEYS OFFICE TRIED TO INTRAP PETITIONER ON. OUT OF RETALIATION, MONTEREY COUNTY DISTRICT ATTORNEYS OFFICE SENT HATE EMAILS IN RETALIATION AS CONNECTIONS TO SANTA CLARA COUNTY DISTRICT ATTORNEYS OFFICE TO RAISE SAME AMOUNT OF BAIL \$100,000 TO WHERE PETITIONER CANT BAIL OUT. UNDER SENATE BILL 10, INMATES THAT CANT AFFORD BAIL ARE ELIGIBLE FOR O.R. THIS CASE STEMS FROM PETITIONER NOT 290 REGISTERING WITH IN 5 DAYS WINDOW PERIOD BACK IN JULY 2019 UPON RELEASE IN PRISON. PETITIONER WAS ARRESTED IN MONTH OF AUGUST FOR CASE # C1916008. SANTA CLARA 190 W. HEDDING ST SUPERIOR COURT JUDGE OR PETITIONER IN SAME MONTH OF AUGUST 2019. NEXT WORKING DAY OF IN AUGUST OF RELEASE FROM SAN JOSE COUNTY JAIL, PETITIONERS 290 REGISTRATION HAS BEEN UP DATED EVER SINCE AUGUST 2019. PETITIONERS PAROLE WAS TRANSFERED FROM SAN JOSE COUNTY, TO EAST PALO ALTO, CA 94363 SAN MATEO COUNTY.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

\_\_\_\_\_

\_\_\_\_\_

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☐ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. \_\_\_\_\_

**CLAIM II**

1. State the constitutional or other federal civil right that was violated: USCS CONST. AMEND 8, PART 1 OF 4, AMENDMENT 8 BAIL-PUNISHMENT, "CRUEL & UNUSUAL PUNISHMENT"

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court                                | <input type="checkbox"/> Medical care           |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion                               | <input checked="" type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>EXCESSIVE BAIL-PUNISHMENT</u> |   |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

IN DECEMBER 2019 PETITIONER IMMEDIATELY 290 REGISTERED IN AT EAST PALO ALTO, CA 94303 290 POLICE UNIT STATION ON DEMETER ST. THERE WAS NO NEED FOR EXCESSIVE BAIL WHEN PETITIONER HAS HAD HIS 290 REGISTRATION UPDATED PER SAN JOSE 190 W. HEDDING ST SUPERIOR COURTS JUDGES ORDER OF HER O.R. STIPULATION, PER DISCOVERY PLEASE CONTACT SAN JOSE 290 POLICE STATION WILL SHOW IVE BEEN REGISTERED AUGUST, 2019, SAN JOSE 290 POLICE STATION TRANSFERRED 290 DOCUMENTS TO EAST PALO ALTO 290 POLICE STATION, PETITIONER RE REGISTERED WELL WITH IN 5 DAYS IN DECEMBER 2019 FROM DAY OF TRANSFER FROM SAN JOSE TO EAST PALO ALTO. IT IS AN OUTCRY TO INJUSTICE ON THE BEHALF OF THE CCPA UNION ALLOWING SANTA CLARA COUNTY DISTRICT ATTORNEY'S OFFICE IN SAID CASE # C1916008 TO VIOLATE PETITIONERS 8TH AMENDMENT CONSTITUTIONAL RIGHTS PER EXCESSIVE BAIL \$100,000 WHEN IT WAS NOT WARRANTED.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

DUE TO SANTA CLARA COUNTYS EXCESSIVE BAIL HOLD, PETITIONER SUFFERED MENTAL AN PHYSICAL ANGUISH PAIN, AN SUFFERING ON COMMITTING SUICIDE ON 2-19-20 IN HANFORD COUNTY JAIL

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. THIS IS A SANTA CLARA COUNTY SUPERIOR COURT, AN SANTA CLARA COUNTY DISTRICT ATTORNEY'S OFFICE MATTER.

**CLAIM III**

1. State the constitutional or other federal civil right that was violated: USCS CONST, AMEND 8, PART 1 OF 4, AMENDMENT 8 BAIL PUNISHMENT, "CRUEL & UNUSUAL PUNISHMENT"

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court                     | <input type="checkbox"/> Medical care           |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion                    | <input checked="" type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>EXCESSIVE BAIL</u> |   |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

SEE SUPPORTING FACTS IN EXHIBIT "A"  
EXCESSIVE BAIL, AND SUPPORTING FACTS ON PAGE 4 SECTION 3

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

SEE PAGE 4, SECTION 4 INJURIES

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Claim III? ☐ Yes ☐ No
- Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. THIS IS A SANTA CLARA COUNTY SUPERIOR COURT, AND SANTA CLARA COUNTY DISTRICT ATTORNEYS OFFICE MATTER.

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

DUE TO RACIAL PROFILING, ABUSIVE OF AUTHORITY THAT SANTA CLARA COUNTY DISTRICT ATTORNEYS OFFICE, UNDER COLOR OF AUTHORITY, SUBJECTED PETITIONER TO "CRUEL & UNUSUAL PUNISHMENT WITH "EXCESSIVE BAIL" DUE TO DURESS STRESS, MENTAL AND PHYSICAL ANGUISH PAIN AND SUFFERING, PETITIONER SEEKS "IMMEDIATE" INJUNCTIVE RELIEF IN CASH SUM OF \$250,000, TO VACATE CASE #C1916008 SANTA CLARA COUNTY IN WHOLE DUE TO 8TH AMENDMENT CONSTITUTIONAL RIGHTS VIOLATION EXCESSIVE BAIL

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3.12.2020  
DATE

Antoine Barnes  
SIGNATURE OF PLAINTIFF

ANTOINE DESHAWN BARNES  
(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

Antoine Barnes  
(Signature of attorney, if any)  
44 NEWELL RD #14  
EAST PALO ALTO, CA 94303

PETITIONERS MOM: BERNETTA GUESBY (918) 894-9965  
(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.